

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

VINCENT LUCAS,	:	Case No. 1:15-cv-108
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	Magistrate Judge Stephanie K. Bowman
v.	:	
	:	
AURELIO JOLIN, <i>et al.</i> ,	:	
	:	
Defendants.	:	

**DECISION AND ENTRY
ADOPTING THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE (Doc. 31)**

This case is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Stephanie K. Bowman. Pursuant to such reference, the Magistrate Judge reviewed the filings with this Court and, on October 29, 2015, submitted a Report and Recommendation (Doc. 31). No objections were filed.

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(b), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Report and Recommendation should be and is hereby adopted in its entirety. Accordingly:

1. The Report and Recommendation (Doc. 31) is **ADOPTED**;
2. Plaintiff's unopposed motion for default judgment against Defendant Calvin (Doc. 27) is **GRANTED**;

3. Defendant Calvin is directed to pay Plaintiff damages in the amount of \$22,800 (\$3,800 x 6 calls), with interest to be paid at the statutory rate until said judgment is satisfied. Further, Defendant Calvin and his employees, agents and aliases, and all other persons acting directly or indirectly in concert with Defendant Calvin, are permanently enjoined from engaging in any unfair, deceptive, or unconscionable act or practice in violation of the federal Telemarketing Sales Rule, 16 C.F.R. § 310, or the federal Telephone Consumer Protection Act, 47 U.S.C. § 227, or Ohio's Consumer Sales Protection Act, Ohio Rev. Code §§ 1345.01 *et seq.*, or Ohio's Telephone Sales Solicitation Act, Ohio Rev. Code §§ 4719.01 *et seq.*, as well as the related provisions of the Ohio Administrative Code; and
4. Consistent with Plaintiff's Notice of Voluntary Dismissal of Claims Against Starion Energy Inc., (Doc. 28), all claims are dismissed against Defendant Starion Energy Inc.

IT IS SO ORDERED.

Date: 11/18/15

s/ Timothy S. Black
Timothy S. Black
United States District Judge